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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GREGORY BENDER,

Plaintiff,

vs.

EXAR CORPORATION, a Delaware
corporation,

Defendant.

) Case No. C 09-01140 WHA
)
) STIPULATION AND ~~PROPOSED~~
) ORDER RE SCHEDULE FOR CLAIM
) CONSTRUCTION
)
)
)
)

Pursuant to Case Management Order and Reference to
Magistrate Judge for Settlement/Mediation, Plaintiff Gregory
Bender ("Bender") and Defendant Exar Corporation ("Exar"),

through their respective counsel, have met and conferred regarding a briefing schedule leading up to the Claim Construction Hearing set for February 3, 2010, at 1:30 PM. Plaintiff Bender and Defendant Exar, through their respective counsel, hereby stipulate and request that the Court enter an order establishing the briefing schedule in preparation for the Claim Construction Hearing set for February 3, 2010 at 1:30 PM.

The proposed briefing schedule is as follows:

Parties exchange list of claim terms to be construed by the Court	September 29, 2009
Parties exchange Preliminary Claim Constructions, including extrinsic evidence	October 19, 2009
Deadline to file Joint Claim Construction and Prehearing Statement	November 16, 2009
Deadline to complete claim construction discovery	December 16, 2009
Deadline for Plaintiff to serve and file opening claim construction brief	December 30, 2009
Deadline for Defendant to	January 13, 2010

serve and file responsive claim construction brief	
Deadline for Plaintiff to serve and file reply claim construction brief	January 20, 2010
Tutorial for Court	January 20, 2010
Claim Construction Hearing	February 3, 2010

IT IS SO STIPULATED.

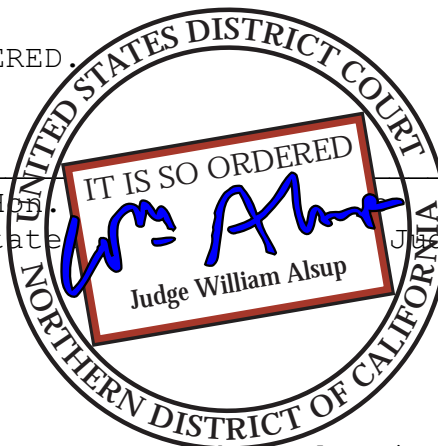
Dated: _____, 2009 _____/S/_____
David N. Kuhn, counsel for plaintiff

Dated: _____, 2009 _____
Jacob K. Baron, counsel for defendant

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated August 18, 2009

The Hon. _____
United States _____ Judge



I, David N. Kuhn, attest that I am the ECF user whose log-in and password are being used to e-file this document and that concurrence in the filing of this document has been obtained from Proskauer Rose LLP, counsel for the defendant.

Executed on August 13, 2009 _____/S/_____
PIEDMONT, CALIFORNIA David N. Kuhn